



Louisiana Landmarks Society

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Mr. Jason Emery
7400 Leake Avenue
New Orleans, LA 70118

Re: Comments on Amended Memorandum of Agreement – Inner Harbor Navigational Canal (IHNC) Lock Replacement Project, New Orleans, Orleans Parish, Louisiana

Mr. Emery:

Thank you for the opportunity to comment on the proposal for the replacement of the Inner Harbor Navigational Canal Lock (IHNC).

The second “whereas” the in Memorandum of Agreement (MOA) states the obvious overwhelming flaw in this process. We seem to be moving forward with a plan that was written twenty-two years ago but never enacted, adding the assumption that all deciding factors have remained frozen in time since then. In any rational world this would, of course, be totally unacceptable – but in New Orleans it even has more significance. Enormous changes have occurred: the urban landscape has expanded, the MRGO has been closed, significant structural changes have been made, the channel is no longer to be deep-draft, the Port Authority of New Orleans is no longer participating, etc. But most of all, Hurricane Katrina – with her vast array of challenges – has hopefully changed every way of thinking.

Of deep concern is the lack of consideration for the next hurricane that requires evacuation of the city and waterways. The much needed reevaluation of alternatives provides the opportunity for serious review of all possibilities and assessment of the optimal site for the lock – not just for maritime commerce, but the City of New Orleans and its residents. The current location of the lock jeopardizes citizen’s safety as difficult choices are required to either open bridges for maritime vessels maneuvering to safety, or allow thousands of vehicles to evacuate the hurricane’s path. This is an immense problem with catastrophic consequences – yet the proposed project does not seem to include it in the consideration. The bridges that must be crossed by thousands will still need to be opened to allow barges to move to safety with the new lock. The number of people who died due to difficulties evacuating during Hurricane Katrina is just one reason this must be part of the equation before heading down the 22 year old pre-Katrina path.

New Studies Needed:

An up-to-date economic analysis that looks at the cost/benefit of each of the alternatives using current information must be conducted. It should include the economic costs to all areas of the city and its immediate surrounding area (including St. Bernard Parish), resources, neighborhoods, businesses and residents (both homeowners and renters), time, traffic (including public transportation), added risks, etc. – compared with the monetized gains realized by vessels clearing the lock in less time – taking into account the new shallow draft restriction.

It is imperative that the Corps conduct a comprehensive traffic study, a new Environmental Impact Study (EIS) and a study of the impacts to the urban area incorporating current data.

We are pleased to hear that the USACE is open to extending the Area of Potential Effect (APE) and believe the area should be significantly expanded. The APE should include several blocks around the construction sites, as well as around all areas where the construction vehicles will be travelling. Slide 5 of the USACE powerpoint presented at Meeting 1 of the Section 106 confirms, there “(c)ould be substantial impacts to the neighborhood from trucks traversing, noise, etc.” As performed for construction of the Veteran Affairs Medical Complex, video documentation of the interior and exterior of historic structures in the vicinity should be conducted for nearby owners prior to construction activity as a baseline to compensate owners for any damage resulting from the work.

Vibration and air monitoring should be required.

The proposed removal of the trees within the APE needs further consideration and discussion. There are structural concerns that the tree root systems have grown integral to the lock structure – and removal prior could present problems. Additionally, a program to plant new trees in the area as well as move the old growth trees, as was done for the Claiborne Avenue Expressway construction, should be implemented by the USACE,

As is understood, the Community Impact Mitigation Plan (CIMP) "does not have concrete actions defined". Better definition is needed.

Page 5 of 14 - (5) states that the "USACE shall implement the authorized CIMP documented in Volume 2 of the March 1997 project evaluation report." Again, this is 22 year old material that assumes a static world and needs. A new, open and transparent process of "broad-based community participation" needs to be conducted, with new participants who represent the current population, to include consideration of the changing environment and needs. A new CIMP should be developed with current input and information.

The draft MOA makes several references to Holy Cross and Bywater Historic Districts without including other neighborhoods that will be affected by this project. We understand that the Section 106 focuses on historic resources, but believe that the USACE should acknowledge and be responsible for affects in all areas, including Holy Cross and the Lower 9th Ward, along with the Upper 9th Ward's St. Claude and Bywater neighborhoods.

Page 6 of 14 (c) refers to reserve funds of \$600,000 until year eight of the project. This is not enough money – and certainly not enough time. The money is just a drop in the bucket of what could be needed to compensate for damage in historic districts. Additionally, the possibility of damage is not limited to just the first eight years. It can happen at any time during the construction process – with the possibility of some damage not showing up until after completion. A more reasonable amount of money would be in the millions of dollars, with the period should expanded to two years after construction is concluded.

Page 6 of 14 – 6. Please consider adding the "Concurring Parties" to the list of who is consulted if the mitigation features of the CIMP are found to have an adverse effect.

Additionally, please add "Concurring Parties" to notifications of changes, disputes, public objections, bi-annual updates, and other points in the MOA. This is an engaged group who deserves to be keep in the loop.

Page 9 of 14: (VI) Duration and Reporting

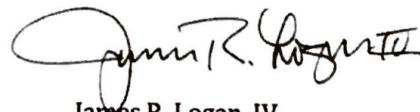
The expiration term of 13 years for the MOA is too long. It allows the plan to continue without adequate reassessment of new information. This continues the bad precedent of not taking into account changing data.

Although hashing out specifics of the MOA is the task at hand, we can't ignore that the move to pick up a 22 year old MOA and plod forward is simply not a reasonable approach. The USACE must take a step back and study all alternatives using current data and information. It would be negligent to do anything less.

Thank you once again for the opportunity to comment. We look forward to future discussions.

Respectfully,


Sandra L. Stokes
2nd Vice President, Chair of Advocacy


James R. Logan, IV
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